

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: May 10, 2012

Agenda Item: Potential Acquisition of FAS on Upper Big Spring Creek south of Lewistown

Division: Fish and Wildlife

Action Needed: Endorsement

Time Needed on Agenda for this Presentation: 15 minutes

Background:

Big Spring Creek access sites are a high priority in Region 4. The creek is too small for float fishing and too large for extensive wading, which means that sites are needed throughout the drainage in order to provide public access to the various reaches of the creek. This particular property, which is less than three acres in size, contains an inactive private fish hatchery. Its raceways, a cabin, and an outbuilding are contaminated with PCB's from the Big Spring Creek Hatchery. The Department intends to remove the contaminated material from the hatchery in the near future. If the property is acquired by FWP, the Department would fill in the raceways and remove the buildings once the contaminated material has been removed. The Department anticipates that this clean-up effort would be less expensive compared to if the Department doesn't acquire the property and restores the raceways and buildings to a functional condition. Current access to the property is gained through an adjacent neighbor's property. Some research will be required to determine if this access is legal for FWP's needs. The Department would also investigate the acquisition of another adjacent property (around .2 acres) that would enhance the overall access value. The funding for these acquisitions would come from the Fishing Access Site Acquisition Account. The Department is seeking an endorsement from the Commission to investigate the acquisition of these sites further.

Public Involvement Process & Results:

No public involvement has occurred thus far. If the Commission endorses this proposal the Department will provide due diligence, including public scoping and development of an environmental assessment. The Department would present its findings at a subsequent Commission meeting.

Alternatives and Analysis:

If the Commission endorses this proposal, the Department will begin negotiations with the landowner to determine if an agreement can be reached on the property value. The Department will contract with a licensed appraiser to determine the current market value of the property which will be the basis of the Department's offer. If successful the Department will proceed with the various details associated with land purchases including due diligence, an environmental assessment and public scoping. Alternatively, if this request for an endorsement is not approved by the Commission, the Department will continue to clean up the contaminated raceways as planned. No additional action will be pursued once that work has been completed.

Agency Recommendation & Rationale:

The Department recommends that the Commission endorse the request to pursue negotiations with the landowner for purchase of the property. Acquisition of this site would provide angling access to Big Spring Creek.

Proposed Motion:

I motion that the commission endorse the Department's request for an endorsement to pursue acquisition of this property for use as a fishing access site.